

Office of the Chapter 13 Standing Trustee

Isabel C. Balboa, Chapter 13 Standing Trustee[†]

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November 21, 2017

The Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

RE: Chapter 13 Bankruptcy
Case No. 15-22801 (ABA)
Debtor(s) Name: Deborah L. Bitler and Robert J. Bitler

Dear Judge Altenburg:

Please accept this letter in lieu of a more formal response to Debtors' Objection to the Trustee's Motion to Modify Plan.

On October 18, 2017, the Trustee filed a Motion to Modify Debtors' Chapter 13 Plan due to a change in circumstances. Pursuant to the proof of updated income Debtors provided to the Trustee, Debtors' net income has increased by \$1,776.47 per month. Debtors now have the ability to pay 100% dividend to unsecured creditors who filed timely claims.

On October 31, 2017, Debtor, Deborah Bitler, filed opposition to the Trustee's motion. Debtor states that at the time of filing, she had three foster children. Debtors have adopted two of the foster children and receive a monthly stipend from the New Jersey Department of Children and Families. Debtors currently have an additional three foster children, one of which they are in the process of adopting. Debtor states that the foster children are not permanently placed in her home and her monthly stipend will change. Debtor further certifies that should she be required to pay a higher dividend to unsecured creditors, then Debtor will have the children removed from her home immediately, thus, lowering her monthly income and her ability to pay her unsecured creditors.

At the time of filing, Debtors listed four (4) dependents, for a total household size of six (6). Debtor's combined income totaled \$4,728.17 with expenses totaling \$4,368, for a monthly net income of \$360.17. On November 2, 2017, Debtors filed Amended Schedules I and J. Debtors listed three (3) dependents, for a household size of five (5). Debtors listed a combined income of \$6,099 with monthly expenses of \$5,480, for a monthly net income of \$619.

The Trustee notes that pursuant to Exhibit "B" of the Trustee's Motion to Modify Plan, Debtors receive an average of \$4,344.47 from New Jersey Department of Children and Families. Debtor understates her currently monthly income on Amended Schedule J by \$180.47 per month. The Trustee further notes that although Debtor's household size has decreased, the monthly expenses listed on Amended Schedule J have increased by \$1,112.

Honorable Andrew B. Altenburg, Jr.

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Debtors' current monthly plan payment is \$556 per month. Debtors have the ability to increase their plan payment to \$1053 per month for the remaining thirty-two (32) months of their plan to pay 100% to unsecured creditors who filed timely claims. This is an increase of \$497 per month when Debtors' monthly income has increased by \$1,776.47 per month.

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,

/s/ Jane L. McDonald
Jane L. McDonald
Counsel

JLM/jpa

cc: David H. James, Esquire (Via CM/ECF)
Deborah and Robert Bitler (Via Regular Mail)